



Public Law 110-161, Div. E, Title V, § 564 (Dec. 26, 2007), at 8 U.S.C. § 1103 and note. Pursuant to the foregoing construction authority, the Secretary of Homeland Security has identified locations where such infrastructure would be most practical and effective in securing the United States/Mexico border and deterring smuggling and illegal entry.

3. The Act of Congress approved on March 23, 2018, as Public Law 115-141, div. F, tit. II; 132 Stat. 348 (“Consolidated Appropriations Act of 2018”) appropriated the funds that shall be used for this taking.

4. The subject land in this taking lies in close proximity to the United States/Mexico border.

5. Pursuant to its delegated authority, U.S. Customs and Border Protection, Department of Homeland Security has determined that the subject land is an appropriate location for infrastructure, access roads, and staging and work areas needed for construction of infrastructure that will be practical and effective in securing the border and deterring smuggling and illegal entry. The subject land is located in an area that my agency has designated as “RGV-02” for purposes of the foregoing construction activities.

6. The United States requires prompt access to the subject land so that it can begin the foregoing construction activities.

7. The United States has awarded task orders and issued notices to proceed with material acquisition, fabrication, construction, and all other activities related to RGV-02 barrier construction in an area that includes the subject land. The construction contract for RGV-02 was awarded November 11, 2018. Construction in this project area started on October 1, 2019 and is currently ongoing; construction in specific segments in RGV-02 will start upon availability of the subject land.

8. The United States has fully met its obligation to negotiate with the landowner(s) in good faith but has been unable to come to an agreement with the landowner(s) regarding this matter.

9. The United States will incur significant monetary damages arising from delayed start of construction if possession of the subject land is not obtained promptly.

10. The national security interests of the United States will be harmed if possession of the subject land is not obtained promptly.

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on this 17th day of December, 2019, in Washington, D.C.

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LOREN FLOSSMAN  
Acquisition Program Manager  
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